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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF: JUST et al.
SERIAL NO.: 11/598,012
FILED: August 15, 2006
FOR: NITROUS BRIDGED DERIVATIVES OF 6H-DIBENZ...
DOCKET: PRINZ S5094 CONFIRMATION NO. 9199

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicants wish to bring to the attention of the Patent Office additional prior art received in connection with a Search Report issued in Applicants' corresponding German Patent Application. Attached is U.S. Patent Office Form PTO-1449, including copies of some of the prior art references listed therein, and a copy of the Search Report. Applicants are not submitting copies of the U.S. Publication as the Office waived the requirement. Some references were cited in a related case and are being brought to the attention of the Examiner in the subject case. The claims in the present application are believed to be patentably distinguished over these references.

This Information Disclosure Statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitute prior art or that it is the closest prior art, inasmuch as 37 CFR § 1.56(A) relies on a materiality concept which depends on subjectivity.

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In compliance with the requirements of 37 CFR § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a copy of the Search Report by a foreign Examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of foreign Examiner or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the foreign Examiner's comments submitted therewith.

The enclosed Supplemental Information Disclosure Statement is being submitted prior to issuance of the first action on the merits. Therefore, we believe there are no fees involved with this Supplemental Information Disclosure Statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 23, 2008 at Tucson, Arizona.

By: SL SB

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